

C) REMARKS

This Response is filed in response to the Office Action dated June 27, 2007.

Upon entry of this Response, claims 1-4, 6-20, 30 and 31 will be pending in the Application.

In the outstanding Office Action, the Examiner rejected claims 1-4 and 7-11 under 35 U.S.C. 102(b) as being anticipated by Hutton et al. (U.S. Patent No. 4,650,947) hereinafter "Hutton"; rejected claims 5, 6, 12, 13 and 15-17 under 35 U.S.C. § 103(a) as being unpatentable over Hutton; indicated claims 14 and 18-20 would be allowable if rewritten in independent form.

Examiner conducted a telephonic interview with Applicant on July 12, 2007. Applicant would like to thank the Examiner for the courtesies extended during the interview. While agreement for the clarifying amendment in the form presented herein was not specifically reached, it is Applicant's understanding that the clarifying amendment is allowable over the cited art.

Claim 1 has been amended to clarify the vessel is an air handling unit vessel. Claim 5 has been canceled. Independent claim 30 has been added, which claim is the combination of claim 1 (prior to the amendment of the present Office Action) and claims 12-14. Independent claim 31 has been added, which claim is the combination of claim 1 (prior to the amendment of the present Office Action) and claims 12-13. Since support for the amendments incorporate existing claimed limitations, and is also contained throughout the specification, Applicant asserts no new matter is added.

Rejection under 35 U.S.C. 102

The Examiner rejected claims 1-4 and 7-11 under 35 U.S.C. 102(b) as being anticipated by Hutton.

The Examiner maintained the rejection for reasons contained in the previous Office Action dated January 19, 2007.

Applicant respectfully traverse the rejection of claims 1-4 and 7-11 under 35 U.S.C. 102(b).

Hutton as understood, is directed to an induction tacking apparatus for tacking a ribbon of expandable resin containing a heat activated blowing agent to a metal body. Sufficient heat is applied by induction to a portion of the body to transfer sufficient heat to a corresponding portion of the ribbon to bond the ribbon to the body without heating the bulk of the ribbon to activate the blowing agent. Avoiding activation of the blowing agent prevents the blowing agent from expanding the bulk of the ribbon into a foam resin.

In contrast, independent claim 1 recites a press comprising: an upper platen and a heated lower platen that are selectably movable toward and away from each other for conformally but nondeformingly receiving an air handling unit vessel therebetween so that vessel surfaces in conformal contact with the upper platen and the lower platen remain substantially undeformed while the vessel is filled with a pressurized material; and wherein the heated lower platen heats a portion of the vessel to at least a predetermined temperature.

Several of the features recited by Applicant in independent claim 1 are not taught or suggested by Hutton. In addition to the reasons provide in Applicant's Response dated April 6, 2007 to the prior Office Action, Hutton does not teach or suggest a press having an upper platen and a heated lower platen that are selectably movable toward and away from each other for conformally but nondeformingly receiving an air handling unit vessel therebetween so that vessel surfaces in conformal contact with the upper platen and the lower platen remain substantially undeformed while the vessel is filled with a pressurized material, as recited in claim 1 as amended.

Therefore, for the reasons given above, independent claim 1 is believed to be distinguishable from Hutton and therefore is not anticipated nor rendered obvious by Hutton.

Dependent claims 2-4 and 7-11 are believed to be allowable as depending from what is believed to be allowable independent claim 1 for the reasons given above. In addition, claims 2-4 and 7-11 recite further limitations that distinguish over the applied art. In conclusion, it is respectfully submitted that claims 1-4 and 7-11 are not anticipated nor rendered obvious by Hutton and are therefore allowable.

Rejection under 35 U.S.C. 103

The Examiner rejected claims 5, 6, 12, 13 and 15-17 under 35 U.S.C. § 103(a) as being unpatentable over Hutton.

Applicant submits that dependent claims 6, 12, 13 and 15-17 are distinguishable from Hutton for at least the following reasons. To begin, dependent claims 5, 6, 12, 13 and 15-17 are believed to be distinguishable from Hutton as depending from what is believed to be allowable independent claim 1 as discussed above.

Therefore, in view of the above, dependent claims 6, 12, 13 and 15-17 are believed to be distinguishable from Hutton and therefore are not anticipated nor rendered obvious by Hutton. In addition, claims 6, 12, 13 and 15-17 recite further limitations that distinguish over the applied art. In conclusion, it is respectfully submitted that claims 6, 12, 13 and 15-17 are not anticipated nor rendered obvious by Hutton and are therefore allowable.

Allowable Subject Matter

The Examiner also indicated that claims 14 and 18-20 would be allowable if rewritten and including all of the limitations of the base claim and any intervening claims. Applicant appreciates the Examiner's indication of allowable subject matter, but believes that all of the claims are allowable for the reasons given above.

CONCLUSION

In view of the above, Applicant respectfully requests reconsideration of the Application and withdrawal of the outstanding objections and rejections. As a result of the amendments and remarks presented herein, Applicant respectfully submits that claims 1-4, 6-20, 30 and 31 are not anticipated by nor rendered obvious by Hutton and thus, are in condition for allowance. As the claims are not anticipated by nor rendered obvious in view of the applied art, Applicant requests allowance of claims 1-4, 6-20, 30 and 31 in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 50-1059.

Respectfully submitted,
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Dated: August 13, 2007